

REMARKS

Claims 1-26 are pending in the instant application. Applicants wish to cordially thank the Examiner for allowed claims 9-16 and the allowable subject matter indicated with respect to claims 2-8 and 23-26, but for their dependence on rejected claims. Claims 1, and 17-22 stand rejected, while claims 1, 2, 17, 21, and 23 have been amended, leaving claims 1-26 for consideration upon entry of this amendment. No new matter has been entered.

Claim Rejections -35 USC § 102

Claims 1, 21, and 22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Gelbien et al. (USPN 5,701,226). Applicants respectfully traverse.

Claims 1 and 21 have been amended to include limitations of respective claims 2 and 23 indicated as containing allowable subject matter in which the references of record do not teach or suggest the same, nor would it be obvious to modify the references to include such limitations. More specifically, independent claims 1 and 21 have been amended to include the limitation of "by providing a test voltage to said load side to induce a test current in said load side, said test voltage being less than a voltage in said line side" indicated as being neither taught nor suggested in the references of record, including Gelbien et al.

Accordingly, the rejections to claims 1, 21, and 22 (depending from claim 21) are rendered moot. Thus, it is respectfully requested that the rejections with respect to claims 1, 21, and 22 be withdrawn in light of the statement of reasons for the indication of allowable subject matter on page 4 of Paper No. 7.

Claim Rejections -35 USC §103

Claims 17-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gelbien et al. in view of Chou (USPN 5,931,289). Applicants respectfully traverse.

Regarding claim 17 from which claims 18-20 depend, the Examiner submits that

although Gelbien et al. do not disclose an over-center toggle mechanism, Chou discloses an over-center toggle mechanism (col. 2, lines 32-39) and that it would have been obvious to one having skill in the art to modify the circuit of Gelbien et al. with an over-center toggle mechanism as taught by Chou in order to control the movement of the breaker contacts (Chou, col. 1, lines 7-11).

Independent claim 17 has been amended to include the limitation of "by providing a test voltage to said load side to induce a test current in said load side, said test voltage being less than a voltage in said line side" indicated as being neither taught nor suggested in the references of record, including Gelbien et al. as discussed above.

Accordingly, the rejection to claim 17 is rendered moot. Thus, it is respectfully requested that the rejections with respect to claims 17, including claims 18-20 depending therefrom, be withdrawn in light of the statement of reasons for the indication of allowable subject matter on page 4 of Paper No. 7.

Furthermore, it is respectfully noted that use of the over-center toggle mechanism allegedly taught in Chou does not cure the deficiencies noted above with respect to Gelbien et al.

CONCLUSION

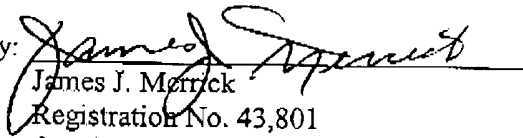
It is believed that the foregoing remarks fully comply with the Office Action and that claims 1-26 are allowable. Accordingly, reconsideration and allowance is requested.

If, however, any issues remain, the Examiner is cordially invited to contact the undersigned so that such issues may be promptly resolved.

In the event any further fees are due with respect to this amendment or otherwise, please charge them to Deposit Account No. 06-1130, maintained Applicants' Attorneys. If there are any additional charges with respect to this amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,
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